

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTSMICHAEL SUBENKO,
PETITIONER,FILED
IN CLERKS OFFICE

2004 JAN -5 P 12: 36

U.S. DISTRICT COURT
DISTRICT OF MASS.COMMONWEALTH OF MASSACHUSETTS,
BROCKTON DISTRICT ATTORNEY'S OFFICE,

RESPONDENTS, 04-10023 GAO

DECLARATION IN SUPPORT OF REQUEST FOR
LEAVE TO PROCEED IN FORMA PAUPERIS.

MICHAEL SUBENKO STATES:

1. I AM THE PLAINTIFF IN THE ABOVE- ENTITLED ACTION. I MAKE THIS DECLARATION IN SUPPORT OF MY APPLICATION FOR LEAVE TO PROCEED IN FORMA PAUPERIS, PURSUANT TO, 28.U.S.C. §1915.
2. BECAUSE I AM HELD IN A NEW INSTITUTION, AND BECAUSE I AM HELD IN PUNITIVE SEGREGATION, I AM NOT PERMITTED TO WORK AND HAVE NO STEADY INCOME.
3. I AM INCARCERATED IN THE M.C.I. NORFOLK, CORRECTIONAL FACILITY, IN NORFOLK MASSACHUSETTS.
4. I WAS PLACED IN PUNITIVE SEGREGATION ON NOVEMBER 10, 2003, I WAS NOT EMPLOYED IN THE PRISON, DUE TO NOT BEING WITHIN THE NEW INSTITUTION LONG ENOUGH.
5. THE BALANCE IN MY PRISON ACCOUNT AS OF DECEMBER 9, 2003 WAS \$ 6.95
6. I HAVE RECEIVED APPROXIMATE \$ 1709.66, IN GIFTS FROM FAMILY MEMBERS OVER THE PAST TWELVE MONTHS. HERETO ATTACHED.
7. I HAVE NO OTHER SOURCE OF INCOME AND DO NOT OWIN ANY CASH, BANK ACCOUNTS, REAL-ESTATE, STOCKS, BONDS, NOTES, AUTOMOBILES OR OTHER VALUABLE PROPERTY.

PURSUANT TO, 28.U.S.C. §1746, I DECLARE UNDER PENALTY OF PERJURY THAT THE

FOREGOING IS TRUE AND CORRECT.

DATED: DECEMBER 21, 2003

Michael Subinko
MICHAEL SUBINKO-W-80202,
M.C.I. NORFOLK,
P.O. BOX, 43,
NORFOLK, MA 080560043.